

Notice of Allowability

Application N .

09/833,594

Examiner

Brandon J. Miller

Applicant(s)

USHER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/29/2005.
2. ☒ The allowed claim(s) is/are 12,13,15-17 and 21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


GEORGE ENG
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Amendment

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Scott D. Watkins on 05/17/2006.

The application has been amended as follows:

Claim 12 should be amended to read:

12. (Currently amended) A method of forwarding a data message to a vehicle, comprising: registering a user's cellular identity as present aboard a vehicle; receiving a data message intended for the cellular telephone associated with the user's cellular identity, the data message including at [including at] least a first address and a data packet, the first address being associated with the user's cellular identity; sending an advisory message to a destination address representing a wireless node aboard the vehicle, the advisory message indicating that the data message is available for forwarding to the node and requesting authorization from the user to forward the data message; receiving an affirmative response to the advisory message; associating the data packet with the destination address; and forwarding the data packet to the vehicle consistent with the destination address.

Claim 21 should be amended to read:

21. (new) A method of forwarding a data message to a vehicle, comprising: registering a user's cellular identity as present aboard a vehicle; receiving a data message intended for the cellular telephone associated with the user's cellular identity, the data message including at [including at] least a first address and a data packet, the first address being associated with the user's cellular identity; associating the data packet with a destination address, the destination address representing a wireless node aboard the vehicle; and forwarding the data packet to the vehicle consistent with the destination address; [...] wherein the data packet is originally configured for transmission over a cellular telephone network for display by a cellular telephone handset, and said reconfiguring reconfigures the data packet for transmission over a telecommunications network for display by a display mounted in the vehicle.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Claims 12-13, 15-17, and 21 are allowable.

Regarding claim 12 the prior art does not teach or fairly suggest sending an advisory message to a destination address representing a wireless node aboard the vehicle, the advisory message indicating that the data message is available for forwarding to the node and requesting authorization from the user to forward the data message; and receiving an affirmative response to the advisory message. The cited passage of Schmid in the 3/25/2005 Office Action refers to ringing or flashing a seat terminal when a call has been forwarded to the seat terminal and answering a call to connect it (see col. 6, lines 53-58). The ringing and flashing represents an available call and does not teach an advisory message indicating that a data message is available

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for forwarding and requesting an authorization from the user to forward the data message. In addition, answering a call to connect it is not the same as receiving an affirmative response to the advisory message. Claims 13-17 are allowable based on their dependence of claim 12.

Regarding claim 21 the prior art does not teach or fairly suggest wherein the data packet is originally configured for transmission over a cellular telephone network for display by a cellular telephone handset, and said reconfiguring reconfigures the data packet for transmission over a telecommunications network for display by a display mounted in the vehicle. The cited passage of Mitchell in the 3/25/2005 Office Action refers to satellite communication system for Internet service, television service and other data services (see col. 2, lines 44-49, col. 7, lines 29-30, and FIG. 5). The communication system that provides this service is not a cellular telephone network.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sinivaara et al. U.S Patent No. 6,603,967 B1 discloses call routing in a radio system.

Wright et al. U.S. Patent No. 6,173,159 B1 discloses a wireless spread spectrum ground link-based aircraft data communication system for updating flight management files.

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Silverman U.S. Patent No. 6,363,248 B1 discloses an intelligent cellular forwarding system.

Taylor U.S. Patent No. 6,643,510 B2 discloses a mobile platform real time availability and content scheduling system and method.

Bastian et al. U.S. Patent No. 6,757,712 B1 discloses a communications system for aircraft.

Grabowsky et al. U.S. Patent No. 6,181,990 B1 discloses an aircraft flight data acquisition and transmission system.

Berstis et al. U.S. Patent No. 6,509,827 B1 discloses a method and apparatus for postponed pager service for airlines.

Hogg et al. U.S. Patent No. 6,430,412 B1 discloses a call handoff.

Rousseau et al. U.S. Patent No. 6,889,042 B2 discloses a cellular mobile telephone system usable on board a passenger transport vehicle.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J. Miller whose telephone number is 571-272-7869.

The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be "B. [unclear]".

April 20, 2006

A handwritten signature in black ink that reads "George Eng".

GEORGE ENG
SUPERVISORY PATENT EXAMINER